

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

COMPRESSION LABS, INC.,

Plaintiff,

v.

MICROSOFT CORPORATION,

Defendant.

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Civil Action No. 2:05-CV-156 (Folsom)

**ORDER GRANTING DEFENDANT MICROSOFT CORPORATION'S
MOTION TO DISMISS, OR IN THE ALTERNATIVE, TRANSFER**

Pending before this Court is Defendant Microsoft Corporation's Motion to Dismiss, or in the Alternative, Transfer. Having considered the Motion and the arguments of counsel, the Court finds the Motion to be well taken.

It is therefore **ORDERED, ADJUDGED, and DECREED** that this action is hereby dismissed, pursuant to the first-to-file rule, in deference to the prior action filed by Microsoft Corporation in the Northern District of California (*Microsoft Corporation v. Compression Labs, Inc., et al.*, No. C 05-01567 WHA (N.D. Cal.)).

SIGNED this the _____ day of _____, 2005.

UNITED STATES DISTRICT COURT